



## Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact [support@jstor.org](mailto:support@jstor.org).

statute contains no definition of "wilful act," whereas that statute was amended in 1914 expressly to define that phrase.

Because the industrial commissions and accident boards in a number of our states not only exercise quasi-judicial functions but also provide insurance, some of their pronouncements are neither judicial nor administrative, but are rather in the nature of advertising "puffs" for their insurance schemes. Obviously pronouncements of the last-mentioned kind have no place in a legal textbook. Nevertheless some of them are to be found in the work under review. For instance, in § 5 are presented claims for the stability of protection afforded by the Washington State Insurance Fund. The weight to be given to such claims may be deduced from the fact that within the last few months the auditor of the state of Washington, after an examination and audit, has reported that the Washington State Fund is unsound in principle, insolvent in fact, and mismanaged in practice.

To the student of "the law of compensation" it may be disappointing that the author has refrained from any personal discussions of the principles underlying the statutes under consideration or of the grounds for choice between alternative principles and practices. For illustration, though he points out in § 138 that the tendency has been to deal with industrial accidents distinct from industrial diseases, he does not attempt to explain why compensation has generally been granted only for "injuries by accident" to the exclusion of "injuries by disease." But consideration of the vastness of the field that would have been opened up by any other course makes it plain that for immediate usefulness the author has chosen the better part in limiting himself to a bald presentation of the British and American authorities. Moreover our American compensation laws are highly and hurriedly empirical and imitative; and an authoritative commentary upon principles would require a more thorough exploration of European sources than American commentators have yet had time and opportunity to make.

The foregoing criticisms simply indicate some limitations to the usefulness of this work and some qualifications to its reliability. The author has aimed to produce a treatise of immediate helpfulness, and, in spite of the unusual difficulties of his task, has eminently succeeded.

P. TECUMSEH SHERMAN.

BELGIUM AND THE GREAT POWERS: HER NEUTRALITY EXPLAINED AND VINDICATED. By Emile Waxweiler. New York and London: G. P. Putnam's Sons. 1916. pp. xi, 186.

BELGIUM'S CASE: A JURIDICAL ENQUIRY. By Charles de Visscher. Translated from the French by E. F. Jourdain. London, New York, and Toronto: Hodder and Stoughton. 1916. pp. xxiv, 164.

These are two of the recent additions to the crop of controversial books dealing with the German invasion of Belgium in 1914. The first, that of the late M. Waxweiler, is, from a legal point of view at least, of scant importance. It really is fervid patriotic pamphleteering, designed to meet the equally patriotic and insignificant books of various Germans; and the war of the professors at times becomes quite violent. The first section of the book, dealing with the policy of Belgian resistance, is certainly of no importance to a student of international law. The part (pp. 44-117) given over to a denial of any Belgian-English *ante-bellum* arrangement would be of little value even if the evidence were presented more clearly and more frankly. And Belgium's innocence can hardly be proved by the fact that even ten Belgian diplomatists believed in it (*cf.* p. 86). In discussing Belgium's duty to resist passage by a belligerent, the Treaty of 1831 alone is mentioned; M. Waxweiler is either ignorant of, or attaches no importance to, the provisions

of the Treaty of 1839. For the student of the international law question raised by the invasion of Belgium, this volume is negligible.

Professor de Visscher's is a book of a very different sort. The ablest book on the subject that has yet appeared (with perhaps the exception of Dr. Dernburg's), it is obviously the work of a trained lawyer and a skilled logician. The basis of Belgium's neutralization, the treaties of 1831 and 1839, is explained lucidly and accurately enough, with the very important exception that the author does not state, indeed inferentially denies (p. 70), that the Treaty of 1839 *failed* to "textually insert" the "garantisent" articles of 1831. The neutrality of Greece is treated with perhaps not absolute fairness. The German arguments of necessity (*notrecht*) and self-defense against France (*notwehr*) are effectually disposed of upon the facts; but the author is discreetly silent as to similar theories held by English writers at least as late as 1914. Professor de Visscher disposes of the Belgian-British-French intrigues as skilfully as is possible. As he accurately states, Germany was bound by the Hague Convention (5) of 1907 on the morning of August 4, 1914, when Belgium was invaded, since it was not at war with a non-contracting power until 11 P. M. of the same day. A narrow gap of time, but a sufficient one. There can be no question that the Germany of to-day is a party to the treaties of 1831 and 1839; the question is, did these treaties, coupled with subsequent events, deprive Germany of the power to declare war against Belgium (as she did), and hence make the invasion of Belgium an invasion, not of a belligerent, but of a neutral? Only in that event can there have been a violation of the Hague Convention. This fact Professor de Visscher fails to realize adequately (see pp. 146 *et seq.*).

These are the defects most apparent in M. de Visscher's work. Frequent citations of American authorities are pleasant, as perhaps they were designed to be. The book is a reasonably fair as well as an able one, restrained throughout. It is a pity that some American writers upon the invasion of Belgium, ex-assistant attorneys-general and men of even higher ex-official rank, cannot learn both international law and moderation from this professor of Ghent.

RAEBURN GREEN.

---

HANDBOOK OF THE LAW OF PRIVATE CORPORATIONS. By William L. Clark, Jr. Third Edition by I. Maurice Wormser. St. Paul: West Publishing Co. 1916. (Hornbook series.) pp. xiii-803.

In 1897 Clark on Corporations was made part of the Hornbook series. The HARVARD LAW REVIEW (10 HARV. L. REV. 530) called Mr. Clark's work "above the average" in the student text field.

So great has been the development in Corporation Law since the work of Mr. Clark, that a new edition of the text became essential. Mr. Wormser of the New York Bar, and professor of law in Fordham University Law School (also author of Wormser's Cases on Corporations), undertook the task of revision and reconstruction. In fact he has had to completely revise the text throughout in order to bring it up to date — abreast with the authorities.

The "Hornbook" idea has been preserved in the topical arrangement of the subject matter. Ample notes, replete with authorities (including those reported in 1916), add greatly to the weight of the text.

Two chapters are distinctly valuable — VIII, The Corporation and the State; and XV, Foreign Corporations — showing the relation between Corporation Law and Constitutional Law and Conflicts respectively. The chapters on Membership, Liability on Contracts by Promoters, and Powers are praiseworthy.

Throughout Mr. Wormser is sound and accurate, possessing two virtues not too often attained by "handbook" authors. It is particularly pleasing to find a clear and accurate definition of the well-worn phrase *Ultra Vires*. Quot-